GOVERNMENT OF INDIA
ENVIRONMENT, FORESTS AND CLIMATE CHANGE
LOK SABHA

UNSTARRED QUESTION NO:274
ANSWERED ON:19.07.2016
Construction in Forest Areas
Phoole Sushree Sadhvi Savitri Bai

Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether the Government has issued any instructions/guidelines regarding construction of canals, culverts, bridges and pucca roads in forest areas of the country; and
(b) if so, the details thereof?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT, FOREST AND CLIMATE CHANGE

(SHRI ANIL MADHAV DAVE)

(a) to (b)Use of forest land for construction of canals, culverts, bridges and pucca roads requires prior approval of Central Government under the Forest (Conservation) Act, 1980. However, to facilitate creation of public utility and security related infrastructure of certain specified categories, including the roads, canals, bridges etc. in certain specified areas, the Central Government has accorded general approvals under the Forest (Conservation) Act, 1980. Details of these general approvals are as below:

(i). Execution of certain public utility and security related infrastructure including minor irrigation canals, construction/widening of roads including approach roads to road side establishments and construction/strengthening/widening of existing bridges by the Border Roads Organizations involving not more than 1 hectare of forest land in each case by Government Departments, Government Corporation, Government Agencies in the entire country except Jammu & Kashmir.

(ii). Creation of certain public utility and security related infrastructure including the minor irrigation canals involving not more than 5 hecatres of forest land in each case by Government Departments in 117 left wing extremism affected districts.

(iii). Construction and widening of two lane roads by Government Departments in 117 left wing extremism affected districts irrespective of area of forest land involved.

(iv). Construction and widening of two lane roads by the Border Roads Organisations (BRO) and other road construction agencies entrusted with the job by the Ministry of Defence, in the area falling within 100 kilometers aerial distance from the line of actual control (LAC) and widening of roads (by the BRO and other road construction agencies) which are identified by the Ministry of Defence as link roads, between Border roads in the area within 100 kilometer aerial distance from the LAC and National Highways/State Highways/Other State Roads irrespective of area of forest land involved.

(v). Creation of border security related infrastructure, including the Border Roads, within five kilometers aerial distance from the International Border by paramilitary organizations of the Ministry of Home Affairs, such as Border Security Force (BSF) and Sashastra Seema Bal (SSB) from funds provided by the Ministry of Home Affairs.

The Central Government has also issued guidelines to the effect that subject to certain conditions specified in these guidelines, upgradation of the kuccha roads constructed prior to 1980 in forest areas, to pucca roads, does not require prior approval of Central Government under the Forest (Conservation) Act, 1980

The Central Government has also issued guidelines to the effect that in case of linear project including the roads and canals, once the compensatory levies specified in the in-principle approval are realised from the user agency and where necessary, for compensatory afforestation, transfer and mutation of non-forest/revenue forest land in favour of State Forest Department is affected, the State Government or a senior officer not below the rank of a Divisional Forest Officer, having jurisdiction over the forest land proposed to be diverted, duly authorized in this behalf by the State Government may, pending grant of final approval under the Forest (Conservation) Act, 1980, pass an order for tree cutting and commencement of work of such linear project in forest land for a period of one year.

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